IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1889 OF 2007
IN
APPEAL (L) NO.468 OF 2007
IN
TEST.PETITION NO.272 OF 2004

Mr.Samith Balu Kamble .. Appellant
V/s
Mahesh Madhukar Gaikwad .. Respondent

Mr.S.B.Amin the Appellant.
None for Respondent.

CORAM : DR.S.RADHAKRISHNAN, &
R.S.MOHITE, JJ.

DATE : 21st November, 2007.

P.C.:

1. Heard the learned Counsel for the Appellant. None appears for the Respodnent though served. The learned Counsel for the Appellant undertakes to file an affidavit of service within a period of one week from today.

2. By this Notice of Motion the Appellant is seeking condonation of 92 days delay caused in filing the Appeal. Perused the affidavit in support of the Notice of Motion. For the reasons stated therein sufficient cause is made out for condonation of delay. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, Notice of Motion is made absolute in terms of prayer clause (a).

(R.S.MOHITE, J.) **(DR.S.RADHAKRISHNAN, J.)**